

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in an email message received from Robert Chee, Esq., on 10 December 2010. The application has been amended as follows:
Replace all claims with the attached examiner's amendment.

Allowable Subject Matter

3. Claims 14-21, 23-25 and 27 are allowed.
4. The following is an examiner's statement of reasons for allowance: the closest prior art, Stanbach, Jr., et al. (US 6,449,657 B2, hereafter "Stanbach"), does not teach or suggest, "appending advertisement retrieval software means to the e-mail message transmitted/received from the/a first client computer" (all three independent claims 14, 18 and 21). The spec. discloses, "advertisement retrieval software means ... causes an advertisement from an advertiser to be appended to the e-mail message when the e-mail message is opened by each e-mail recipient." (para. [0037] of the published application, 2002/0026360 A1). A hyperlink would read on "advertisement retrieval software means", but the prior art does not teach or suggest even appending this simple mechanism to an email message after it is sent so as to cause an advertisement to be appended to the e-mail message when the e-mail message is opened by a recipient. The closest non-patent prior art is "E-mail Attachments", which literally teaches just that. Hernandez, found by a Dialog search, teaches attaching a promotion, but Hernandez is not prior art.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

18 December 2010

/Donald L. Champagne/
Primary Examiner, Art Unit 3688